

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q92767

Tomoharu KIYUNA, et al.

Appln. No.: 10/565,669

Group Art Unit: 1631

Confirmation No.: 2893

Examiner: Lori A. Clow

Filed: January 24, 2006

For: METHOD OF EVALUATING CHROMOSOME STATE AND EVALUATION SYSTEM

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

Applicants submit herewith a corresponding Japanese Office Action dated January 6, 2009 and an English translation of the pertinent portions thereof.

All listed references cited therein¹ were previously submitted to the USPTO in an Information Disclosure Statement filed January 24, 2006.

-
- ¹ 1. JP 5-172810 A, published July 13, 1993;
 2. JP 2001-92980 A, published April 6, 2001;
 3. LOUIS A. PARADA et al., "Chromosome Positioning in the Interphase Nucleus", Trends in Cell Biology, 9 September 2002, pages 425-432, Vol. 12 No. 9
 4. HIDEYUKI TANABA, "Chromosome Territory: Recent Advancement of Studies on Interphase Chromosome Positioning in Relation to Nuclear Architecture", Environmental Mutagen Research, April 2003, pages 11-22, Vol. 25 No. 1

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Howard L. Bernstein/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Howard L. Bernstein
Registration No. 25,665

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 5, 2009